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## NOTICE OF ALLOWANCE AND FEE(S) DUE

20210 7590 07/07/2009

DAVIS & BIJOLD, P.L.L.C.  
112 PLEASANT STREET  
CONCORD, NH 03301

EXAMINER

COOLEY, CHARLES E

ART UNIT

PAPER NUMBER

1797

DATE MAILED: 07/07/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,009	06/28/2005	Remy Schmidt	METPAT P78AUS	9062

TITLE OF INVENTION: BAFFLE SECURED AT A DISTANCE FROM THE INNER WALL OF A GLASS-LINED CONTAINER BY MEANS OF A LOCAL CONNECTION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	10/07/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

**PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
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**or Fax (571) 273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

20210 7590 6767/2009

**DAVIS & BUJOLD, P.L.L.C.**  
**112 PLEASANT STREET**  
**CONCORD, NH 03301**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or by facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,009	06/28/2005	Remy Schmidt	METPAT P78AUS	9062

TITLE OF INVENTION: BAFFLE SECURED AT A DISTANCE FROM THE INNER WALL OF A GLASS-LINED CONTAINER BY MEANS OF A LOCAL CONNECTION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	10/07/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
COOLEY, CHARLES E	1797	366-307000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

## 4a. The following fee(s) are submitted:

## 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- Issue Fee
- Publication Fee (No small entity discount permitted)
- Advance Order - # of Copies \_\_\_\_\_

- A check is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS; SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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20210	7590	07/07/2009	EXAMINER	
DAVIS & BIJOLD, P.L.L.C. 112 PLEASANT STREET CONCORD, NH 03301				COOLLEY, CHARLES E.
ART UNIT		PAPER NUMBER		
1797				DATE MAILED: 07/07/2009

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 585 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 585 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b> 10/541,009	<b>Applicant(s)</b> SCHMIDT, REMY
	<b>Examiner</b> Charles E. Cooley	<b>Art Unit</b> 1797

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the RCE filed 20 APR 2009 and amendment filed 2 JUL 2009 (see exr. amendment).

2.  The allowed claim(s) is/are 21-30,32-40 and 43-46.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_.
- 4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- 5.  Notice of Informal Patent Application
- 6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_.

/Charles E. Cooley/  
Primary Examiner, Art Unit 1797

## **EXAMINER'S AMENDMENT/REMARKS**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Michael Bujold on 1 JUL 2009.
3. The application has been amended as follows:

### **Amendments to the Claims:**

Please cancel claim 42, without prejudice or disclaimer of the subject matter therein, in favor of new claim 46 and amend claims 21, 22, 25, 26, 33-35, 37 and 38 as follows in which the claim additions are shown by underlining and/or the claim deletions are shown by either strikeout or brackets. Please enter the new and amended claims into the record of this case.

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-20. (CANCELED)

21. (CURRENTLY AMENDED) A baffle secured to a glass-lined internal wall of a container, which is capable of being equipped with a system of circulation of thermal fluid, the baffle being secured to and held at a distance from an adjacent internal wall

(12) of the container (1) and relative to the adjacent internal wall (12) and locally with the adjacent internal wall (12) by only a single local connection (15) whose greatest dimension is less than a length of the baffle, and the baffle and the local connection have only rounded edges and angles, and an external surface of the baffle and an external surface of the local connection are glass-lined forming a group of glass-lined surfaces with [[the]] an internal lateral surface of the container, and the single local connection (15) enables the baffle to be substantially insensitive to expansion of a remainder of the container; and

the local connection (15) is connected to the baffle (14) at a location between opposed ends of the baffle.

22. (CURRENTLY AMENDED) The baffle according to claim 21, wherein one end of each said local connection (15) is welded to the supported baffle (14) and an opposite end of each said local connection (15) is welded to [[an]] the internal surface of the ~~reaction~~ container and [[the]] an entire internal surface of the ~~reaction~~ container, including all exposes surfaces of each said local connection (15) and the supported baffle (14), are completely glass lined.

23. (PREVIOUSLY PRESENTED) The baffle according to claim 21, wherein the baffle is a hollow body.

24. (PREVIOUSLY PRESENTED) The baffle according to claim 23, wherein a hollow interior space (16) of the baffle (14) has a connecting fluid path, via the local connection (15), with the fluid of a heating or cooling system of the container for circulation of fluid.

25. (CURRENTLY AMENDED) The baffle according to claim 21, wherein a baffle secured to a glass-lined internal wall of a container, which is capable of being equipped with a system of circulation of thermal fluid, the baffle being secured to and held at a distance from an adjacent internal wall (12) of the container (1) and relative to

the adjacent internal wall (12) and locally with the adjacent internal wall (12) by only a single local connection (15) whose greatest dimension is less than a length of the baffle, and the baffle and the local connection have only rounded edges and angles, and an external surface of the baffle and an external surface of the local connection are glass-lined forming a group of glass-lined surfaces with an internal lateral surface of the container, and the single local connection (15) enables the baffle to be substantially insensitive to expansion of a remainder of the container; and

the local connection (15) is connected to the baffle (14) at substantially a middle portion thereof.

26. (CURRENTLY AMENDED) The baffle according to claim 21, wherein the local connection (15) is located near a lower edge or a ~~higher upper~~ edge of the baffle (14).

27. (PREVIOUSLY PRESENTED) The baffle according to claim 21, wherein a body of the baffle is substantially planar, is substantially vertical and perpendicular to the internal wall (12) of the container (1), and only has rounded edges and angles.

28. (PREVIOUSLY PRESENTED) The baffle according to claim 21, wherein a body of the baffle takes the general shape of a "hockey stick".

29 (PREVIOUSLY PRESENTED) The baffle according to claim 21, wherein a body of the baffle is curved, at one or more of a vertically higher or lower part and on a side edge.

30. (PREVIOUSLY PRESENTED) The baffle according to claim 21, wherein the form of a cross section of a body of the baffle is mainly rectangular and has rounded edges.

31. (CANCELED)

32. (PREVIOUSLY PRESENTED) The baffle according to claim 21, wherein a body of the baffle exhibits one of concave or convex sides.

33. (CURRENTLY AMENDED) The baffle according to claim 21, wherein [[the]] a form of a section presents at least an undulation on one of the sides of the baffle.

34. (CURRENTLY AMENDED) The baffle according to claim 21, wherein a body of the baffle is secured to the internal wall in an appreciably tilted ~~presentation orientation~~ compared to a longitudinal axis of the container.

35. (CURRENTLY AMENDED) The baffle according to claim 21, wherein the baffle is secured in a skewed orientation relative to the internal wall (12) of the container (1).

36. (PREVIOUSLY PRESENTED) The baffle according to claim 35, wherein an end of a body of the baffle is close to the adjacent internal wall and in that its opposite end is further away from the adjacent internal wall.

37. (CURRENTLY AMENDED) A reaction container comprising at least a baffle secured to a glass-lined internal wall of the container, which is capable of being equipped with a thermal fluid circulation system, the baffle being attached or secured to and held at a distance from an adjacent internal wall (12) of the container (1) and relative to the adjacent internal wall (12) and locally with the adjacent internal wall (12) only by a single local connection (15) whose greatest dimension is less than a length of the baffle, the local connection (15) is connected to the baffle (14) at a location between opposed ends of the baffle and the baffle and the local connection only having rounded edges and angles, an external surface of the baffle and an external surface of the local connection are glass-lined, and the external surface of the baffle, the external surface of the local

connection and the internal surface of the container form an assembled group of completely glass-lined parts which are assembled together with one another.

38. (CURRENTLY AMENDED) The container according to claim 37, wherein the container includes several baffles (14) distributed about an interior of the reaction container, and one end of each said local connection (15) is welded to the supported baffle (14) and an opposite end of each said local connection (15) is welded to [[an]] the internal surface of the reaction container and [[the]] an entire internal surface of the reaction container, including all exposes surfaces of each said local connection (15) and the supported baffle (14) are completely glass lined.

39. (PREVIOUSLY PRESENTED) The container according to the claim 37, wherein the container includes several baffles (14) laid out appreciably along a theoretical curve relative to the internal wall (12) of the container (1).

40. (PREVIOUSLY PRESENTED) The container according to claim 39, wherein the theoretical curve is a helix.

41. (CANCELED)

42. (CANCELED)

43. (PREVIOUSLY PRESENTED) The baffle according to claim 22, wherein the baffle is a hollow body.

44. (PREVIOUSLY PRESENTED) The baffle according to claim 21, wherein a hollow interior space (16) of the baffle (14) has a connecting fluid path, via the local connection (15), with the fluid of a heating or cooling system of the container for circulation of fluid.

45. (PREVIOUSLY PRESENTED) The baffle according to claim 22, wherein a hollow interior space (16) of the baffle (14) has a connecting fluid path, via the local connection (15), with the fluid of a heating or cooling system of the container for circulation of fluid.

46. (NEW) The container according to claim 37, wherein each local connection (15) is located near one of a first end and a second end of a respective baffle (14).

\* \* \*

#### APPLICANT'S REMARKS

The Applicant thanks the Examiner Cooley for the courtesy and insight provided during the telephone interview of June 26, 2009 concerning the above identified application. The Supplemental Response is believed to incorporate the discussed claim amendments which will hopefully place this case in a condition for allowance absent the discovery of any additional pertinent prior art in an updated search.

In view of the foregoing, it is respectfully submitted that all of the raised rejections should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

[Signed by Michael Bujold]

\* \* \*

4. The following is an Examiner's Statement of Reasons for Allowance:

The above amendment and remarks are a copy of a supplemental amendment filed 1 JUL 2009 filed by Applicant's Representative Michael Bujold. This amendment incorporates the revisions to the claims discussed during the interview of 30 JUN 2009 and ultimately approved by Applicant. The amendment is incorporated into this examiner's amendment to expedite processing of the application. Said revisions define over the prior art, particularly EP 1208905 and EP 1172138 since these references and the other prior art of record lack the glass-lined baffle and local connection wherein there is only a single local connection securing the respective baffle to an internal wall of a container, the local connection has a greatest dimension that is less than the length of the baffle, the baffle and the local connection only have rounded edges and angles, and the local connection is disposed between opposed ends of the respective baffle.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Cooley in Art Unit 1797 whose telephone number is (571) 272-1139. The examiner can normally be reached on Mon-Fri.. The

Art Unit: 1797

fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Charles E. Cooley/

Charles E. Cooley  
Primary Examiner  
Art Unit 1797